

PHILLIP A. TALBERT
United States Attorney
LAUREL J. MONTOYA
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JULIO CHAVEZ-LUCATERO,

Defendant.

CASE NO. 1:20-CR-00062-JLT-SKO

STIPULATION TO CONTINUE MOTION
HEARING; ORDER

DATE: March 13, 2023
TIME: 10:00 a.m.
COURT: Hon. Jennifer L. Thurston

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a hearing on the motion to suppress on March 13, 2023.
2. By this stipulation, defendant and government now move to continue the hearing on the motion to suppress to May 22, 2023. Time has been excluded to and through January 30, 2024.
3. By this stipulation, the parties request the following briefing schedule be set:
 - a) Government's response is due April 21, 2023.
 - b) Defendant's reply is due May 15, 2023.
4. The parties agree and stipulate, and request that the Court find the following:

1 a) The parties are actively working on settling the matter short of litigating the
2 motion to suppress filed in this matter. A plea agreement has been sent and a counter-offer
3 made.

4 b) Counsel for the government and defendant Chavez-Lucatero desire additional
5 time to continue to engage in plea negotiations and finalize a plea agreement.

6 5. Nothing in this stipulation and order shall preclude a finding that other provisions of the
7 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
8 must commence.

9 IT IS SO STIPULATED.

10 Dated: March 9, 2023

PHILLIP A. TALBERT
United States Attorney

12 /s/ LAUREL J. MONTOYA
13 LAUREL J. MONTOYA
Assistant United States Attorney

15 Dated: March 9, 2023

16 /s/ MARC DAYS
17 MARC DAYS
Counsel for Defendant
JULIO CHAVEZ-LUCATERO

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19
20 **FINDINGS AND ORDER**

21
22 IT IS SO FOUND.

23 IT IS SO ORDERED.

24 Dated: **March 9, 2023**

25 
26 UNITED STATES DISTRICT JUDGE